

Herbert Hafif, Bar No. 27311  
Greg K. Hafif, Bar No. 149515  
Michael D. Dawson, Bar No. 150385  
**LAW OFFICES OF HERBERT HAFIF, APC**  
269 West Bonita Avenue  
Claremont, California 91711-4784  
(909) 624-1671; Fax (909) 625-7772

Steven L. Miller, Bar No. 106023  
16133 Ventura Blvd., Suite 1200  
Encino, California 91436  
(818) 986-8900; Fax (818) 990-7900

Scott A. Miller, Bar No. 230322  
**LAW OFFICES OF SCOTT A. MILLER, APC**  
16133 Ventura Blvd., Suite 1200  
Encino, California 91436  
(818) 788-8081; Fax (818) 788-8080

Attorneys for Plaintiff  
DOLORES A. ARREGUIN, for  
herself and other members  
of the general public similarly situated

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

DOLORES A. ARREGUIN, for herself  
and other members of the general public  
similarly situated,

Plaintiffs,

v.

GLOBAL EQUITY LENDING, INC., a  
Georgia Corporation; and DOES 1  
through 10, inclusive,

Defendants.

CASE NO. C 07-06026 MHP  
[Filed: November 29, 2007]

*[Assigned for all Purposes to:  
Honorable Judge Marilyn H. Patel]*

**OBJECTIONS TO  
DECLARATIONS OF SANDRA  
CROTEAU IN SUPPORT OF  
DEFENDANT GLOBAL EQUITY  
LENDING, INC.'S MOTION TO  
DISMISS AND TO COMPEL  
ARBITRATION**

Date : March 3, 2008  
Time : 2:00 p.m.  
Place : Courtroom 15

1 Plaintiff Dolores Arreguin hereby objects to the admissibility of the following  
2 evidence:

- 3 1. Global Equity Lending, Inc., Mortgage Loan Originator Employment  
4 Agreement purportedly executed on April 2, 2002, attached as Exhibit  
5 "A" to Declaration of Sandra Croteau.
  - 6 • OBJECTION: Authentication (FRE 803(6)); Hearsay (FRE 801(a)); Not  
7 relevant, vague and misleading (FRE 401, 402 and 403)
- 8  
9 2. Delores Arreguin associated with GEL on April 2, 2002 when she  
10 executed a mortgage loan originator agreement with GEL in advance of  
11 GEL acquiring a California residential lending license. (Croteau Decl at  
12 ¶10)
  - 13 • OBJECTION: Foundation (FRE 602); Speculation/ inadmissible opinion  
14 (FRE 602 and 701)
- 15  
16 3. On April 2, 2002, an executed form titled Global Equity Lending, Inc.  
17 Mortgage Loan Originator Employment Agreement (the "Agreement")  
18 was entered into GEL's data base under the name of Delores Arreguin.  
19 (Croteau Decl at ¶13)
  - 20 • OBJECTION: Foundation (FRE 602); Speculation/ inadmissible opinion  
21 (FRE 602 and 701)
- 22  
23 4. The Agreement was created and stored electronically during the regular  
24 course and scope of GEL's business activities. (Croteau Decl at ¶14)
  - 25 • OBJECTION: Foundation (FRE 602); Speculation/ inadmissible opinion  
26 (FRE 602 and 701).
- 27  
28 5. Attached to this affidavit as Exhibit A is a true and correct copy of the

Agreement stored electronically by GEL under the name of Delores Arreguin and executed on April 2, 2002. (Croteau Decl at ¶15)

- OBJECTION: Authentication (FRE 803(6)); Foundation (FRE 602); Speculation/ inadmissible opinion (FRE 602 and 701)

6. The Agreement contained an arbitration clause that required, *inter alia*, that all compensation disputes be resolved through arbitration. (Croteau Decl at ¶19)

- OBJECTION: Best Evidence (FRE 1002); Relevance (FRE 401 and 402); Speculation/ inadmissible opinion (FRE 602 and 701).

7. The Agreement also contained a forum selection clause which acknowledged Arreguin's consent to resolve all disputes arising from or related to the Agreement at a location in Norcross, Georgia, which is a community located within the metropolitan Atlanta, Georgia area. (Croteau Decl at ¶20)

- OBJECTION: Best Evidence (FRE 1002); Relevance (FRE 401 and 402); Speculation/ inadmissible opinion (FRE 602 and 701).

8. The Agreement executed on April 2, 2002, including the forum selection clauses, governed the relationship between GEL and Arreguin until the termination of her association with GEL. (Croteau Decl at ¶21)

- OBJECTION: Best Evidence (FRE 1002); Relevance (FRE 401 and 402); Speculation/ inadmissible opinion (FRE 602 and 701).

9. Attached as Exhibit B to this affidavit is a spreadsheet showing the loan applications originated by Delores Arreguin. The spreadsheet was created for this affidavit from data gathered and stored in the normal

1 course of business. The spreadsheet truly and correctly shows the loan  
 2 applications originated by Delores Arreguin during the term of her  
 3 association with GEL. (Croteau Decl at ¶23)

- 4 • OBJECTION: Authentication (FRE 803(6)); Hearsay (FRE 801(a)); Not  
 5 relevant, vague and misleading (FRE 401, 402 and 403)

- 6
- 7 10. Between April 2000 and the date of Arreguin's employment with GEL  
 8 was terminated portions of the Agreement were revised; however, no  
 9 revisions were made to the arbitration and forum selection clauses in the  
 10 Agreement and those clauses remained in force and effect through the  
 11 term of Arreguin's association with GEL. (Croteau Decl at ¶24)

- 12 • OBJECTION: Best Evidence (FRE 1002); Relevance (FRE 401 and  
 13 402); Speculation/ inadmissible opinion (FRE 602 and 701).

- 14
- 15 11. Every year GEL mortgage loan originators are required to undergo a  
 16 compliance review. As part of the review, loan originators are required  
 17 to acknowledge and accept electronically any revisions made to the  
 18 Agreement and applicable to the upcoming year. (Croteau Decl at ¶25)

- 19 • OBJECTION: Best Evidence (FRE 1002); Relevance (FRE 401 and  
 20 402); Speculation/ inadmissible opinion (FRE 602 and 701).

- 21
- 22 12. GEL's records show Dolores Arreguin acknowledged and accepted all  
 23 revisions made to the Agreement subsequent to the original April 2,  
 24 2002 execution. (Croteau Decl at ¶26).

25 ///

26 ///

27 ///

28 ///

- OBJECTION: Best Evidence (FRE 1002); Relevance (FRE 401 and 402); Speculation/ inadmissible opinion (FRE 602 and 701).

DATED: February 14, 2008

**LAW OFFICES OF HERBERT HAFIF, APC**

By: 

Greg K. Hafif

Attorneys for Plaintiff

DOLORES A. ARREGUIN, for  
herself and other members  
of the general public similarly situated

PROOF OF SERVICE  
BY MAIL

STATE OF CALIFORNIA, COUNTY OF LOS ANGELES

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is 269 W. Bonita Avenue, Claremont, CA 91711.

On **February 15, 2008**, I served the foregoing document described as: **OBJECTIONS TO DECLARATION OF SANDRA CROTEAU IN SUPPORT OF DEFENDANT GLOBAL EQUITY LENDING, INC.'S MOTION TO DISMISS AND TO COMPEL ARBITRATION**

☐ by placing the true copies thereof enclosed in sealed envelopes addressed as follows:

☒ by placing ☐ the original ☒ a true copy thereof enclosed in sealed envelopes addressed as follows:

☒ Via Facsimile.

☐ Via Overnight Delivery.

**[SEE ATTACHED SERVICE LIST]**

☒ I deposited each envelope in the mail at Claremont, California.<sup>1</sup> The envelope was mailed with postage thereon fully prepaid.

☒ As follows: I am "readily familiar" with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the United States Post Office on that same day with postage thereon fully prepaid at Claremont, California in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postage cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

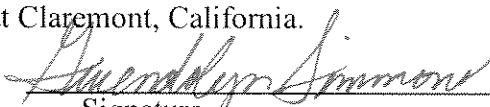
☐ As follows: I am "readily familiar" with the firm's practice for delivering overnight envelopes or packages to an authorized courier or driver authorized by the express service carrier to receive documents, in an envelope or package designated by the express service carrier with delivery fees paid or provided for, addressed to the person on whom it is to be served, at the address as last given by that person on any document filed in the cause and served on the party making service.

☐ (State or Federal) I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

☒ (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on **February 15, 2008**, at Claremont, California.

Gwendolyn Simmons  
Type or Print Name

  
Signature

bag.

**SERVICE LIST**

ARREGUIN V. GLOBAL EQUITY LENDING  
United State District Court Northern District Case No. C07-03026 MHP

Richard M. Williams, Bar No. 68032 (Via facsimile and mail)  
Gregory M. Gentile, Bar No. 142424

**ROPERS, MAJESKI, KOHN & BENTELY**

80 N. First Street  
San Jose, CA 95113  
(408)287-6262 - Telephone  
(408)918-4501 - Facsimile

Attorneys for Defendant  
GLOBAL EQUITY LENDING INC.

Scott A. Miller, Bar No. 230322 (Via U.S. mail only)  
Steven L. Miller, Bar No. 106023

**LAW OFFICES OF SCOTT A. MILLER, APC**

16133 Ventura Blvd., Suite 1200  
Encino, California 91436  
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